



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,175	10/15/1999	GREGORY T. OSTERHOUT	11032RR	9870

35527 7590 04/09/2003

DUKE W. LEE
CARSTENS, YEE & CAHOON, L.L.P.
P.O. BOX 802334
DALLAS, TX 75380

EXAMINER

NGUYEN, THUAN T

ART UNIT	PAPER NUMBER
----------	--------------

2685

DATE MAILED: 04/09/2003

20

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/419,175

Applicant(s)

Osterhout

Examiner

Thuan Nguyen

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 17-33, and 43-51 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 17-33, and 43-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2685

DETAILED ACTION

Remarks

1. Claims 63-65 were canceled without prejudice (Paper no. 9). Pending claims are now 1-8, 17-33, and 43-51.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8, 17-33, and 43-51 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8, 17-33, and 43-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain et al. (U.S. Patent No. 6,085,101) in view of Lee et al. (U.S. Patent No. 6,161,008/ or "Lee").

Regarding claims 1, 17, 25, and 43, Jain discloses a system and its corresponding method of "redirecting or re-routing a call from a data processing system to another address, comprising

Art Unit: 2685

the step of receiving at the data processing system a registration notice of an incoming call from a server, and responsive to receiving the user input (see below), transmitting the new address to which the incoming call is to be redirected", i.e., call management is disclosed wherein new address or new location of the intended recipient can be recognized, and the call or message from the user at a data processing system can be forwarding to or re-directing to the new location using personal locating services and/or personal communication internetworking (see Figs. 2, 4, 6, 8 7 13; col. 1/lines 10-37 for a plurality of data processing systems, col. 2/lines 12-26 for registration notification using HLR and call forwarding, col. 6/lines 47-67 for forwarding addresses and col. 13/line 50 to col. 14/line 34 for personal location services).

Jain does not disclose the step of "responsive to receiving the registration notice, receiving user input for identifying a new address of another device, other than the data processing system, to which the call is to be routed" as amended; however, Lee teaches an exact same technique in using individual user profile and the user can designate his or her preferences to the address of another device that he would like to communicate (see Lee, col. 2/line 65 to col. 3/line 6; and Fig. 4, and col. 11/line 33 to col. 12/line 48 for PID and the address 408 is the address of concerned of another device that the user specifies for the call to be routed. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jain's system with Lee's teaching technique of providing the user an opportunity to address his or her intended destination for another device, and based on user profile and preferences, the system easily routes the call to a desired location as taught by Lee. The motivation for doing this is to

Art Unit: 2685

offer to the users an interaction method for directly receiving their inputs in controlling and modifying their intended destinations from their user profiles.

As for claims 2-5 and 8, Jain further discloses “wherein the data processing system is a personal digital assistant, a laptop computer, a portable computing device, a wireless device, and a wire-line connected device” (see Figs. 1 & 2, and col. 1/lines 10-37).

As for claim 6, Jain further reveals the step of “wherein the registration notice is a session initiation protocol registration notice”, i.e., SS7 protocol is addressed in handling the transmission and delivering of call/messages over the network including a call registration (Fig. 2, col. 1/line 55 to col. 2/line 26, and col. 9/lines 20-34).

As for claim 7, Jain further discloses “wherein the incoming call comprises video and the new address corresponds to video display terminal”, i.e., a video display terminal such as a video screen of a laptop or a computing terminal is addressed (Fig. 2) wherein the new address or new location of that terminal can be provided by a recipient list database 1302 (as illustrated in Fig. 13, and col. 12/lines 53-66).

As for claims 30-31, and 48-49, Jain further discloses to include voice mail service and the step of placing the incoming call on-hold (col. 15/lines 1-14).

As for claims 18-24, 26-29, 32-33, 44-47, 50-51, these claims are rejected for the reasons given in the scope of claims 2-8 as already disclosed in details above.

Art Unit: 2685

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II,

2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


Art Unit: 2685

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

Tony T. Nguyen
Art Unit 2685
April 4, 2003


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600